

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

LEONARD W. HOYER,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Civil Case No. 02-cv-4114-JPG  
Criminal Case No. 00-cr-40104-JPG

**ORDER**

This matter comes before the Court on petitioner Leonard W. Hoyer's ("Hoyer") third amended motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255 (Doc. 42). In a hearing held October 20, 2005, the parties stipulated that the motion should be granted. Accordingly, the Court **GRANTS** the third amended § 2255 motion (Doc. 42), **VACATES** the amended judgment in criminal case number 00-cr-40104-JPG entered against Hoyer (Crim. Doc. 19), including the convictions and sentence, and **REINSTATES** counts 1 through 6 of the indictment in criminal case number 00-cr-40104-JPG against Hoyer. The Court **FURTHER DIRECTS** the Clerk of Court to enter this order and the judgment in this case, civil case number 02-cv-4114-JPG, in criminal case number 00-cr-40104.

**IT IS SO ORDERED.**

**DATED: October 20, 2005**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**